

Stonegate Home owners Association

Architectural Design Requirements, Landscape Policies and Association Rules and Regulations

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SECTION I: ARB

1.1 POLICY STATEMENT

Property in STONEGATE of Wellington P.U.D., hereinafter referred to as STONEGATE, is subject to Deed Restrictions. These restrictions provide that the improvement of any property or the design and construction of any buildings require the review and approval of the Architectural Review Board. The ARB was established to carry out a mandate to enhance the environmental quality and economic value of all properties in STONEGATE and to work in cooperation with the property owners, to help make this community a desirable place to live.

The ARB does not seek to restrict individual taste or preferences. In general, its aim is to avoid harsh contrasts in the landscape, architectural themes, to foster thoughtful design so that there is harmony between the buildings and their sites as well as among the structures themselves, and to encourage freedom of individual expression in the development of land and buildings. The ARB intends to be completely fair, objective in the design review process, impartial, and understanding of individual goals.

ALL improvements, painting and change in landscape design MUST go through the ARB process.

1.2 DESIGN REVIEW PROCESS

All applicants are required to submit plans and specifications with ARB form (Exhibit "A") for review and approval. In this manner, the applicant will have every opportunity to communicate with the ARB on matters of concept and basic form prior to investing in completed, fully detailed architectural and engineered drawings for approval from the Village of Wellington.

A period of thirty (30) days after receipt of each application should be allowed for ARB review and approval or written explanation of denial. In all cases, the ARB will make every effort to expedite review of applications. The application will proceed in the following methods. A) Approved B) Approved as noted C) Denied with comments.

In the event the ARB fails to act by written notice thirty (30) days after all required documentation for review and approval has been provided by the applicant. The application shall be deemed approved. However, NO violation of deed restrictions, requirements or Village of Wellington restrictions may be constructed or allowed to remain.

1.3 LIMITATION OF RESPONSIBILITIES

The primary goal of the ARB is to review the application submitted also to determine if the proposed improvements comply with deed restrictions and to determine if a proposed structure conforms in appearance with the guidelines and policy set forth in the Stonegate bylaws. It is the responsibility of the homeowner to comply with the Village of Wellington Standards in addition to those set forth in the Stonegate Bylaws. The ARB assumes no responsibility for the following.

- The structural adequacy, capacity, or safety features of the proposed improvement or structure.
- Whether or not the location of the proposed improvement or structure is free from possible hazards from flooding or any other possible hazard caused by conditions occurring upon the property.
- Soil, Erosion or non-compactable or unstable soil conditions.
- Mechanical, electrical or any other technical design requirements for a proposed project.
- Compliance with all building codes, safety requirements, or governmental laws, regulations or codes.
- Performance or quality of work of any contractor.
- Any exclusions from the homeowners policy

1.4 SUBMISSION REQUIREMENTS

A. APPLICATION

1. ARB Request Form (Exhibit "A")
2. Letter of acknowledgment that the Owner, Expert(s) Architect, Engineer, Designer or Contractor undertaking the proposed work has visited the site, reviewed all applicable deed restrictions and is familiar with the design standards of Stonegate HOA.
3. Site plan indicating.
 - a. Name of subdivision, lot, block and address.
 - b. Property Lines including streets, rights of ways, lakes, easements, set back lines and all dimensions.
 - c. Location of all structures and parking areas, driveways, garbage and vegetation containers, desks, terraces, patios, walks, fences, swimming pools etc.
4. Exterior Elevations: Provide exterior views of all structures indicating materials, textures and colors. Building elevations should be provided for all sides of the structure.
5. Color Description: Schedule of exterior colors and finishes of all structures.
6. Outline Specifications: Describe exterior materials proposed.

7. Landscaping plan indicating proposed planting, exterior lighting system, irrigation, special landscape features such as pools and fountains.
8. Schedule and/or color chips of all painted and stained exterior finishes. Colors shall be keyed to exterior elevations, differentiating between general siding colors, fascia, soffit, railing, structural elements, door, trim and accent colors.
9. For exterior repainting only a color schedule and color chips is the only requirement along with the ARB application.

B. PRELIMINARY REVIEW

The ARB will review all documentation and send to the Board of Directors to approve or request additional information.

C. FINAL APPROVAL

Final Approval is issued by the Board

1.5 APPEAL PROCESS

If an application has been denied or the approval is subject to comments or conditions which the applicant determines to be unjust. The applicant may request a hearing before the ARB. Any request for a hearing must be made in writing stipulating the pertinent facts. The applicant will be notified within two weeks of the time and place of the hearing.

SECTION II: BUILDING STANDARDS

New Building materials will be reviewed by the ARB/Board, as they are made available

2.1 Awnings

Awnings and Canopy's must be approved by the ARB

2.2 Roof Materials

All Roofing materials should be Cement-tile, either flat, Barrel or Spanish "S" tile.

2.3 Roof Pitch

All Roofs shall have a minimum pitch of 4 1/2 inches in 12 inches, however consideration of variances will be given on a case by case basis depending on the individual merit of a particular design

2.4 Overhangs

There is not a minimum size restriction however the overhang must be part of the design of the home

The size of the overhang will be determined by the Architect or designer of the home and will be subject to the ARB

2.5 Soffits

- House soffits may be constructed of wood, stucco, or aluminum or such material approved by the ARB
- Wood or stucco soffits must be color coordinated with the other exterior
- Aluminum soffits must be white or the same color as the stucco or fascia. Exterior wall colors may be limited to light colors so as not to create sharp contrast when soffits are white.

2.6 Floor Plans

No house shall be constructed with a flat front elevation. There must be at least one offset on the front elevation, which may be a recessed or extended entry, a recessed or extended garage, or such offset which may enhance the appearance

2.7 Building Height

No structure shall exceed 25 FT in Height, unless approved by the ARB

2.8 Screen Enclosures

Patio and screen enclosures must be sloped or mansard

2.9 Patio Roofs

Patio Roofs must be trussed with a duro-last or similar material. Tar and Gravel is unacceptable roofing material. Patio roofs need to be approved by the ARB

2.10 Addition and Improvements

ALL additions and improvements to the exterior or landscape of any house must be approved by the ARB prior to commencement.

SECTION III: GENERAL DESIGN STANDARDS AND PROPERTY MAINTENANCE REQUIREMENTS

Design policies, guidelines and requirements are formulated in an attempt to promote, improve, and maintain the design quality of Stonegate.

3.1 Duplication and Exterior Colors

- There shall be no duplication of a home with the exact elevation, exterior materials and colors constructed on adjacent lots or directly across the street.
- There shall be a minimum of two (2) lots separating such an exact duplication.

3.2 Driveways and Walks

- Driveways and walkways shall be constructed of concrete, bomanite or brick pavers.
- Paining or staining of driveways (up to the sidewalk) is allowed with approval of the ARB and Board. It is the responsibility of the homeowner to properly maintain the driveway once it has been painted or stained.

3.3 Fencing

- Fences and walls shall be maintained in good order and shall be continuous.
- Fencing materials shall be limited to Aluminum, Steel, Vinyl or PVC.
- The style of the fence must be approved by the ARB and the Board
- Fences shall be maintained in a vertical configuration and shall not be allowed to lean.
- Rails and posts shall be structurally sound and not bent.
- Rails, posts, fittings, and gates that become discolored shall be cleaned or replaced.
- The fence shall be constructed inside the property line of the owner of the fence and cannot extend beyond the front corner of the home.

3.4 Landscape Guidelines and Property Maintenance Requirements

- No trees or plants shall be planted in areas considered a safety hazard.
- All new trees or bushes must be approved by the ARB/Board prior to planting.
- All homes, driveways, sidewalks and parking areas shall be maintained free of debris, stains, mold, discoloration, or deterioration at all times.
- The owner or tenant shall maintain all landscaped areas, trees, and shrubs in a healthy, neat and orderly appearance.

- All landscaping shall be maintained free from disease, pests, weeds and Litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance as needed consistent with acceptable horticultural practices.
- Grass weeds and underbrush need to be maintained to less than six inches in height.
- Landscaping should be Florida Friendly and aesthetically pleasing
- All side hedges, shrubs, bushes should be maintained not to exceed twelve (12') feet.
- All owners along Greenview Shores or adjacent to the Golf Course shall allow for a minimum of two (2') feet between all fencing, shrubs, plants or trees.
- Homeowners adjacent to an easement must allow for a minimum of two (2') feet between fencing and shrubs, plants and trees . This is required for proper maintenance of the fencing. This applies to pre-existing as well as new plants.
- Landscaping and barrier hedges shall be trimmed and maintained in a healthy and neat condition and shall not extend onto or over public properties, rights-of-way, or easements.
- Invasive plants are prohibited. See (Exhibit "B") Florida List of Invasive Species.
- All Lots adjacent to Greenview Shores Blvd. and Greenview Cove Golf Course must maintain hedges to a maximum of six (6') feet.
- All Lots adjacent to Bedford Mews and Wellington Place must maintain hedges to a maximum of twelve (12') feet.
- Please note that all vegetation removal of Trees. Including dead trees or invasive non-native vegetation requires a permit from the Village of Wellington.

**All Landscapers must be Licensed and Insured and have proper signage on their vehicles.*

3.5 Mailboxes

All mailboxes shall be of uniform shape size and color as determined by the ARB

Mailboxes must clearly display the house number on both sides of the mailbox.

3.6 Addresses

Addresses must clearly marked on the home

3.7 Flags

Any Owner/Tenant may place one flag on their house in a non-freestanding pole. They may include:

- a) American

- b) State
- c) College
- d) Holiday

3.7 Signs

Only "For Sale", "For Rent" and Signs from security companies indicating home is protected are allowed. The size of the signs can be no more than one foot by one foot.

SECTION IV: ASSOCIATION GENERAL RULES AND REGULATIONS

4.1 General Rules

Owners are responsible for the actions of their Tenants and Guests

- No Owner, tenant or guest shall make or permit any disturbances that will interfere with the rights, comforts, or conveniences of others.
- No Owner, tenant or guest shall be either physically or verbally abusive and/or lewd or otherwise embarrassing to other owners, residents or their guests.
- Homeowners and tenants are responsible for the proper conduct of their children, and/or guests.
- Homeowners are liable for damage and repairs to association property because of the activities of their children and guests. Tenants deposit will be applied to any damages to association property.
- Resident occupancy by more than seven (7) people, adults and children inclusive is considered a health hazard and is hereby prohibited.

4.2 Lawn Equipment/Mechanical Equipment

Lawn Equipment/Outside Mechanical Equipment may only be operated from:

- 8:00 AM to 6:00 PM Monday-Friday
- 9:00AM to 4:00PM Saturday-Sunday

**Outside vendors are not allowed to perform work on Sundays and Holidays.*

4.3 Lake Rules

- Fishing is allowed sunrise to sunset.
- Catch and release into Lake Stonegate is required

- Individuals may fish only upon common areas/easement
- Individuals are responsible for picking up debris left behind.
- No Personal Watercraft
- No Swimming or wading
- No Dumping
- A fishing license is required

4.4 Animals/Pets

- All pets shall be carried or walked on a leash not exceeding ten (10') feet in length at all times when outside the residence property.
- The person walking the pet who shall carry the means to clean up said feces effectively shall pick up any feces left by any pet on Association Property immediately.
- Owners shall not permit pets to be a disturbing nuisance to other residents.
- Pit Bulls or other dangerous dogs are prohibited as per homeowner's insurance policy
- Venomous and Exotic snakes are prohibited
- All animals must comply with the Village of Wellington guidelines

4.5 Personal Property/Household Items

- Household items, maintenance equipment or supplies, or other articles not designed and intended, as outdoor amenities are not allowed in any yard or any portion of a yard that is visible from the street.
- Portable basketball backboards and hoops are permitted in front yards provided that they are located no closer than fifteen (15') feet to the front property line and three (3') feet from the side property line and shall not exceed fourteen (14') feet in height measured from the grade level at the point on the front property line nearest to the pole, and provided they are removed and stored indoors when not in use.
- Permanent fixtures are prohibited.
- Any deteriorated structures, landscape areas, pools, and recreational items should be removed or repaired immediately
- Bicycles, toys, sports nets, sports equipment or other personal property shall not be left or stored in the front area of any resident's premises nor visible from the street.

- Items left on common elements are subject to confiscation by the Association.

4.6 Vehicle Parking and Maintenance

PARKING IS PROHIBITED:

- **On a sidewalk, any portion of a yard, landscaped area or on any drainage grates.**
 - **In front of a private driveway or in a place that obstructs a public or private driveway**
 - **Within and Intersection**
 - **Within six (7 1/2') feet of a fire hydrant (either direction)**
 - **Within twenty (20') feet of a stop sign**
 - **Within (20') feet of the entrance gate**
 - **Facing the opposite way of traffic**
 - **At any place where official signs prohibit stopping, standing or parking**
 - **All vehicles must park in designated spaces**
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- Dually Trucks require prior approval by the board.
 - Moving PODS can be parked for a maximum of seven (7) days. Notice must be provided to the board two (2) weeks prior to delivery. PODS must be placed in the driveway.
 - No unlicensed driver shall be permitted to operate any type of motor driven vehicle on Association Property. Unlicensed shall not refer to drivers holding restricted licenses complying with the rules of those restrictions.
 - Violation of any of the above driving and parking rules will result in the vehicle's removal at the owner's expense.
 - Recreational vehicles, sports vehicles, boats and trailers cannot be parked in any residential district for a period exceeding one hr in a twenty-four hour period, each such period commencing at the time of first stopping or parking.
 - Motor vehicles of all types must be properly muffled, licensed and maintained so as not to create any unnecessary disturbance in the community.
 - No major repair or maintenance work may be performed on motor vehicles within the community. Any damage caused to the road surface because of oil and/or cooling system leaks shall be repaired at the owner's expense.

4.7 Commercial Vehicles

A commercial vehicle cannot be parked in a residential district as follows:

- For more than one hr between 6:00 AM and 8:00 PM Monday-Saturday, such commencing at the first time of stopping or parking
- For any period of time between 8:00 PM and 6:00 AM Monday-Saturday
- For any period of time on Sunday

Exceptions

- **Personal Commercial Vehicle:** One commercial vehicle per dwelling unit may be parked on a residential lot, providing all of the following conditions are met: The vehicle is operative, registered and displays a current license tag and provided NO PORTION of the vehicle is visible from adjoining properties or the street.
- One vehicle is deemed a commercial vehicle due to the display of outside lettering ONLY may be parked provided the lettering is completely covered
- **Construction Vehicles:** The general prohibition set out above shall not apply to the temporary parking of construction vehicles on private property where construction is underway, for which a current and valid building permit has been issued by the building official, and the building permit is displayed on the premises.
- **Delivery and Service Vehicles:** The general prohibition set out above does not apply to routine deliveries by tradesmen or the use of trucks in making service calls, provided that such time in excess of one hour is actually in the course of business deliveries or servicing and the vehicle does not impede the orderly flow of traffic.
- **Emergency Repairs:** The general prohibition set out above shall not apply to a situation where a motor vehicle becomes disabled and, as a result of such emergency, is required to be parked for more than one hour. Any motor vehicle shall be removed within twenty four (24) hours regardless of the nature of the emergency.

4.8 Waste Disposal

- All solid waste shall be stored in Village of Wellington approved containers, and shall be maintained in a sanitary manner.
- Garbage cans vegetation and recycling containers shall be kept indoors or in a portion of the side or rear yard that is screened from front view by walls, fences, or hedges.
- Garbage cans and other trash or recycling containers may be placed at the curb no earlier than 6:00 PM on the day prior to scheduled pick up and removed from the curb no later than 11:00 P.M. on the day of the pick
- Garbage cans, vegetation, bulk etc. may not be placed on any drainage grate.
- Residents are responsible for keeping lawn, sidewalk, street and surrounding areas free of litter or vegetative waste regardless of the source at all times.

- Vegetative waste may be placed at the curb no earlier than twenty -four (24) hours prior to scheduled bulk pick up and may not be placed on drainage grates. Small loose materials such as leaves, trimmings, fruit, and seeds must be placed in a bag or container.
- Compost must be in a bin and kept in a sanitary manner. Composting bins must be placed out of site.
- No hazardous liquids are to be poured down streets, drainage grates or in the Lake.
- All Yard Clippings must be placed in approved by the Village of Wellington Containers or be removed by Landscaping Company. The only exception is when placed in curb area the day prior to bulk trash pickup.
- Dumpsters are allowed with approval from the board and per the Village of Wellington. Removal must be within seven (7) days unless prior approval.
- Please see exhibit "C" for purchase of Wellington Approved Waste Containers

SECTION V: LEASE OF HOMES

5.1 Purchase of Property

Any homeowner wanting to purchase property must do the following:

- Complete a rental application and forward it to the board, with a copy of the contract, and a deposit (Consult Fee schedule for cost of Capital Contribution, Application Fee and Estoppels Fees).
- These items may be presented at the board meeting held in the previous month to prior to the purchase
- Purchaser must meet with a Board Member upon receipt of Application and/or receive an approval letter from the HOA (Board may ask for background check on potential owners Home Owner and buyer responsible for cost)

5.2 Lease of Property

Any homeowner wanting to lease their property must do the following:

- Complete a rental application and forward it to the board, with a copy of the lease, and a \$500 deposit (From the Homeowner).
- These items must be presented at the board meeting held in the previous month to when the lease commences.
- Renter must meet with a Board Member upon receipt of Application (Board may ask for background check on occupants of rented Home. Owner&/or renter responsible for cost)
- A \$50 processing fee will be paid to the Association. The remaining deposit monies will be refunded upon termination of lease.
- **Failure to comply with the above will result in the immediate forfeiture of the deposit money and a letter being sent to the Village of Wellington requesting immediate removal of tenants.**

SECTION VI: COMPLIANCE

6.1 Compliance

Every owner/tenant/guest must comply with all regulations.

Observance of these Rules and Regulations is the responsibility of the Owner. Violations will be called to the attention of the violating owner or tenant.

6.2 Enforcement

Failure by any owner to comply shall be grounds for action which may include, without limitation, an action to recover sums due for damages, injunctive relief or any combination thereof. The Association shall have the right to suspend Owners voting rights and use of common areas.

a) Any Expense incurred by the Association in enforcing these provisions shall be charged against the residence Owner violating these provisions.

The Board of Directors shall have the power to levy assessments, and under its authority shall enforce the restrictions and regulations. Assessments not paid when due, together with interest and cost of collection, shall become a continuing lien on the offending residence as per the Declaration of Covenants.

Fines imposed for specific violations shall automatically increase for each new occurrence of the same violation (Fines can be \$100 per violation per occurrence). Fines can be appealed at the next duly convened meeting of the Board of Directors.

On all payments, except quarterly assessment payments, due the Association not received within seven (7) calendar days after due date, a late charge of up to Twenty-Five and No/100 Dollars (\$25.00), and payable immediately, will be assessed. For the quarterly payments, that is, after the Twenty-First (21st) calendar day of the quarter for which the payment is due; for all other payments, it is the date given in the notice. Principal and late charges accrue interest at the rate of eighteen percent (18%) per annum and are lien able according to the provisions of the Bylaws and the Declaration of Covenants.

6.3 Procedure

The following procedure shall apply prior to the Association levying a fine against any owner.

Notice: The Board must notify Owner in writing and deliver via certified mail/returned receipt. Included in the notice shall be

- (a) A statement of the date, time and place of the next board meeting/hearing
- (b) A statement of the provisions of the declaration, association bylaws, or association rules which have been allegedly violated
- (c) A short and plain statement of the matters asserted by the association

Hearing: The alleged violator may have an opportunity to respond, to present evidence and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge and respond to any material considered by the Association.

A written decision of the board shall be submitted to the owner not later than (7) seven days after the board meeting.

Attorney Fees: In any proceeding arising because of an alleged violation of the declarations, articles, by laws or rules, the association shall be entitled to recover its costs and reasonable attorney's fees. (Including attorneys fees on appeal, if any) from the owner in which the association prevails.

SECTION VII: CONCLUSION/VALIDITY

If any By-Law, rule or regulations contained herein shall be deemed invalid by a court of law, such fact will in no way affect the validity of any other By-Law, rule or regulation.